

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

MICHAEL V. LUJAN,

Case No.: 2:21-cv-01672-APG-DJA

Plaintiff

Order Accepting Report and Recommendation

V.

BURGER KING, et al.,

Defendants

[ECF No. 15]

8 On March 9, 2022, Magistrate Judge Albregts recommended that I dismiss this case
9 without prejudice because plaintiff Michael Lujan did not file a seconded amended complaint by
10 the February 7, 2022 deadline. ECF No. 15. Lujan did not object. Thus, I am not obligated to
11 conduct a de novo review of the report and recommendation. 28 U.S.C. § 636(b)(1) (requiring
12 district courts to “make a de novo determination of those portions of the report or specified
13 proposed findings to which objection is made”); *United States v. Reyna-Tapia*, 328 F.3d 1114,
14 1121 (9th Cir. 2003) (en banc) (“the district judge must review the magistrate judge’s findings
15 and recommendations de novo *if objection is made*, but not otherwise” (emphasis in original)).

I THEREFORE ORDER that Magistrate Judge Albregts' report and recommendation (ECF No. 15) is accepted, and this case is dismissed without prejudice. The clerk of court is instructed to close this case.

DATED this 31st day of March, 2022.


ANDREW P. GORDON
UNITED STATES DISTRICT JUDGE